

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

IN RE: CONNIE LOU MATHEWS,)
)
DEBTOR.) **CASE NO. 11-10544-NLJ**

Chapter 13

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO PAY
PLAN PAYMENTS**

COMES NOW, James E. Palinkas, Debtor's counsel, and Responds to the Motion to Dismiss Chapter 13 Plan filed by the chapter 13 Trustee. In support of said Response, counsel alleges and states as follows:

1. That debtor filed a petition for relief and the Plan was confirmed all as alleged in the Trustee's Motion to Dismiss.
2. That on or about July 1, 2014, the Trustee filed a Motion to Dismiss For Failure to Pay Plan payments alleging that the Debtor is \$2,747.00 delinquent as of June 30, 2014.
3. That counsel does not have sufficient information to either admit or deny the allegation in the Trustee's Motion and in communicating with the debtor she believes that she can come up with enough third-party funds to allow for the pay-off of her chapter 13 Plan.
4. That counsel for the Trustee said she could not give debtor's counsel an accurate pay-off number today, because the Trustee's computer system is in the payout mode at present, so counsel would like more time to try to figure out if, in fact, the debtor can come up with enough funds from a third party to allow for the pay-off of her Plan, or if we will either need to move to modify, convert or allow the case to be dismissed.

WHEREFORE, counsel requests that this Court deny the Trustee's Motion to Dismiss and that this matter be set for hearing at a date and time certain and for any and all other relief that is just and proper.

/s/ James E. Palinkas

JAMES E. PALINKAS, OBA #15037

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CERTIFICATE OF MAILING

I hereby certify that on the date of filing the above Motion, filed as document no. 50, a true and correct copy of the debtor's Response to the Trustee's Motion To Dismiss For Failure To Pay Plan Payments was electronically delivered by this Court's CM/ECF to:

John Hardeman, chapter 13 Trustee

U.S. Trustee

/s/ James E. Palinkas

JAMES E. PALINKAS, OBA# 15037